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09/728,613	11/30/2000	Moshe Tamir	2315/0H316	5193

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DARBY & DARBY P.C.  
805 Third Avenue  
New York, NY 10022

EXAMINER

HAILU, TADESSE

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/728,613

Applicant(s)

TAMIR ET AL.

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 30 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-7,9,10,13,15-20,23,28,29,34-46, 49-59 is/are rejected.
- 7) ☐ Claim(s) 8,11,12,14,21,22,24-27,30-33,47 and 48 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

1. This Office Action is in response to the patent application (09/728,613) filed 11/30/2000.
2. The submitted information disclosure Statement with references is considered and entered.
3. Claims 1 to 59 are pending.
4. The submitted Formal drawings are considered and entered.

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-6, 36-44, 49-59 are rejected under 35 U.S.C. 102(e) as being anticipated by Goshen (US 2001/0029527 A1).**

With regard to claim 1:

s per "A method for dynamically providing information to a user via a visual display associated with a user computer," (see paragraph 0023, 0034);  
as per "assigning the user a user identification code;" (see paragraph 0023, 0027);

as per "assigning an application code to at least a first website and a second website to be viewed by said user;" (see paragraph 0023, 0034);

as per "recording the user's activity associated with said first and second websites by monitoring said user identification code and said application code;" (see paragraph 0022, 0023);

as per "determining the user's viewing preference associated with said first website based on the user's activity associated with said first website" (see paragraph 0015);

as per "determining the user's viewing preference associated with said second website based on the user's activity associated with said second website;" (see paragraph 0015); and

as per "dynamically adjusting the user's display in accordance with the user's preference associated with the website being viewed by the user." (see paragraph 0011).

With regard to claim 2:

as per "the step of downloading from a system server a display application for each website where the user's activity is to be recorded." (see paragraphs 0022, 0035).

With regard to claim 3:

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as per "the step of utilizing a message broker to handle communications between said server and said display application." (see paragraph 0035).

With regard to claim 4:

as per "the step of utilizing a message broker to handle communications between said server and other applications associated with said user computer." (see paragraph 0035).

With regard to claim 5:

As per "the recording step comprises the further step of recording a URL associated with the website being viewed by said user." (see paragraph 0005).

With regard to claim 6:

As per "said visual display includes a browser function and said adjusting step adjusts the browser." (see paragraphs 0025,0068).

With regard to claims 36-44:

The steps recited in these claims are all conventional, thus the client application, such as the browser 12 (fig. 1) is capable to implement installing an application as a shortcut on the user's desktop, installing said application in the user's program files menu, installing said application in the user's start menu, installing said application as a tray icon (see Goshen: paragraph 0022). The browser server 16 (fig. 1) is also capable to implement optimizing the display of website information by dynamically configuring the client application in order to present website information in accordance with the user's history and preferences (see Goshen: paragraph 0022, 0030, 0035). The browser server 16 (fig. 1) is also capable to track user activity in connection with locations that are specified in URL format (see Goshen: paragraph 0068), wherein said locations that are specified in URL format include one of networked files and networked resources (see Goshen: paragraph 0068). The browser server 16 (fig. 1) is also capable to

determine user behavior for a plurality of users (see Goshen: paragraph 0080).

Furthermore, the browser server 16 (fig. 1) is also capable to determine user behavior for an individual user as the user traverse through site to site (in real-time) (see Goshen: paragraph 0074).

With regard to claim 49:

As per “the step of associating a single client application or website with a plurality of users.” (see Goshen: paragraph 0030).

With regard to claim 50:

As per “ the step of associating a single user with a plurality of client applications or websites.” (see Goshen: paragraph 0014,0022).

With regard to claim 51:

As per “the step of utilizing a plurality of different varieties of client applications for a single website and a single user.” (see Goshen: paragraph 0018).

With regard to claim 52:

As per “said plurality of different client applications includes client applications with increased functionality and client applications with increased speed.” (see Goshen: paragraph 0016).

With regard to claim 53:

As per “the step of transmitting customized messages to a user in accordance with the user's usage.” (see Goshen: paragraph 0022).

With regard to claim 54:

As per “the customized messages include at least one of promotional information, advertisements, and news.” (see Goshen: paragraph 0011).

With regard to claim 55:

As per “a method for dynamically providing information to a user via a visual display associated with a user computer,” (see Goshen: paragraph 0011)

As per “the user computer, requesting from a remote server configuration information associated with a website being viewed by said user” (see Goshen: Fig. 2 and paragraph 0011);

as per “reconfiguring the visual display in accordance with the configuration information” ; (see Goshen: paragraph 0014);

as per “transmitting usage information associated with the website being viewed by the user to the remote server” (see Goshen: paragraph 0023); and

as per “repeating steps (a), (b), and (c) for each website being viewed by the user.” (see Goshen: Fig. 2 and paragraph 0011 to 0015).

With regard to claim 56:

As per “A computer readable medium encoded with processing instructions for performing a method for dynamically providing information to a user via a visual display associated with a user computer,” (see Goshen: Figs. 1, 2, and paragraph 0011)

as per “assigning the user a user identification code” (see Goshen: paragraph 0034);

as per “assigning an application code to at least a first website and a second website to be viewed by said user” (see Goshen: paragraph 0015) ;

as per "recording the user's activity associated with said first and second websites by monitoring said user identification code and said application code" (see Goshen: paragraphs 0016, and 0068);

as per "determining the user's viewing preference associated with said first website based on the user's activity associated with said first website" (see Goshen: paragraph 0027);

as per "determining the user's viewing preference associated with said second website based on the user's activity associated with said second website" (see Goshen: paragraph 0027); and

as per "dynamically adjusting the user's display in accordance with the user's preference associated with the website being viewed by the user." (see Goshen: paragraph 0027).

With regard to claim 57:

Independent claim 57 corresponds generally to independent claim 55 and recites similar features in storage medium form, and therefore is rejected under the same rationale.

With regard to claim 58:

As per "An apparatus for dynamically providing information to a user via a visual display associated with a user computer," (see Goshen: paragraph 0011).

As per "processor" (see Goshen: Fig. 1) and

As per "a memory storing processing instructions..." (see Goshen: Fig. 1);

As per "assign the user a user identification code"(see Goshen: paragraph 0034);



As per "assign an application code to at least a first website and a second website to be viewed by said user" (see Goshen: paragraph 0015);

As per "record the user's activity associated with said first and second websites by monitoring said user identification code and said application code" (see Goshen: paragraphs 0016, 0068);

As per "determine the user's viewing preference associated with said first website based on the user's activity associated with said first website" (see Goshen: paragraph 0027);

as per "determine the user's viewing preference associated with said second website based on the user's activity associated with said second website" (see Goshen: paragraph 0027); and

as per "dynamically adjust the user's display in accordance with the user's preference associated with the website being viewed by the user." " (see Goshen: paragraphs 0022, 0027).

With regard to claim 59:

Independent claim 59 corresponds generally to independent claim 55 and recites similar features in an Apparatus form, and therefore is rejected under the same rationale.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2173

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**6. Claims 7, 9, 10, 13, 15, 20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goshen (US 2001/0029527 A1) in view of Shelton et al (6,418,471).**

With regard to claim 7:

While Goshen discloses a server system that comprises a database for listing user profile (see paragraphs 0023, and 0030), but Goshen fails to describe further that the user profile database (user information record) to include "... the user identification code, an IP address field indicating the last internet address from which the user communicated, a country code field indicating the country from which the user last communicated, and a last login field indicating the last time that the user communicated." However, Shelton discloses a database including a class table 147, which is responsible for keeping records of user classes or types assigned to different users. The table could include a user id, a URL (representing an IP address), wherein the URL specifies a country code (looking right at the end of the URL for a two letter country code), and a login field (such as user name and user id (Fig.8A).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the records of the user class with profile database of Goshen because the additional fields described in Shelton will enable Goshen to collect additional information about the user and customizes the user browser accordingly.

With regard to claim 9:

Goshen discloses a server system that includes a plurality of modules (Fig. 1), such as, among other modules, a communication control module that enables to communicate between a client application and a web server. But, Goshen does not describe that the communication control module to include a user session record including the user identification code or a similar unique identifier associated with the user, the application\_code associated with a website, an IP address field indicating the last internet address from which the user communicated, session timing information, and a unique session identification code. However, Shelton discloses a user session record including the above limitations (see Shelton: fig. 6, column 9, lines 44-column 11, lines 7).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the user session record with communication control module of Goshen because the additional fields described in Shelton will enable Goshen to collect additional information about the user and customizes the user browser accordingly.

With regard to claim 10:

As per "said session timing information includes a session start time and a session end time." (see Shelton: column 10, lines 16-column 11, lines 7).

With regard to claim 13:

As per "the step of generating a session identifier for tracking application activities, the session identifier including the application code associated with the

website and an application name field indicating the textual name associated with the website.” (see Shelton: column 10, lines 16-column 11, lines 7).

With regard to claim 15:

As per “the step of generating an application navigation record indicating the primary location the process initially accesses when the process is first executed, the application navigation record including the application code, a navigation URL field indicating a web address to be initially accessed upon initial execution, a country code field indicating the user’s country for which the URL navigation field is applicable.” (see Shelton: Fig. 6, column 10, lines 16-column 11, lines 7).

With regard to claim 20:

As per “the step of generating a user URL information record which indicates user URL tracking information used to generate user behavior information, the user URL information record including the user identification code or a similar unique identifier associated with the user, a session identifier which identifies the session of the user for a particular URL, a domain field and page field associated with the particular URL, a page type field which identifies the type of URL, and a duration field which indicates an amount of time the user spent at a particular URL.” (see Shelton: Fig. 6, column 10, lines 16-column 11, lines 7).

With regard to claim 23:

As per “the step of utilizing user URL information records to customize the user’s display.” (see Goshen: paragraph 0068).

**7. Claims 16-19, 28, 29, 34, 35, 45, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goshen (US 2001/0029527 A1) in view of Gerace (5,991,735)**

With regard to claim 16:

While Goshen discloses a customized browser to present information, but Goshen fails to describe generating an application customization record which includes application parameters related to user behavior, the application customization record including the application code, a user behavior type indicator, and a tag name field and value name field which provide a textual information tag and an associated value, respectively, for the application.” However, Gerace discloses a computer program that determines behavioral profile of a computer user including the above limitations (see fig. 3B-3G). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the customization record with Goshen’s because the user record obtained from Gerace will be used to customize the browser accordingly.

With regard to claim 17:

As per “the step of customizing the user’s display in accordance with the user behavior type.” (see Gerace: column 4, lines 40-57).

With regard to claim 18:

As per “the step of generating a user behavior information record indicating weighted information about the user’s behavior, the user behavior information record including the user identification code or a similar unique identifier associated with the

user, a behavior type field indicating information about the user's type of interests, and a weight field indicating the appropriate weighting or significance of each user behavior type." (see Gerace: fig. 3B-3G).

With regard to claim 19:

As per "the step of generating a plurality of use behavior information records, and utilizing the plurality of user behavior information records to perform additional customization of the user's display." (see Gerace: column 4, lines 40-57).

With regard to claim 28:

Goshen in view of Gerace discloses generating an application tracking record which contains , among other things, an event code field indicating a particular type of event for each application, and a count (hit) field indicating the number of times a particular event has occurred for a particular application (see Gerace: column 19, lines 10-58).

With regard to claim 29:

Goshen in view of Gerace discloses a count (hit) for each occurrence of a particular event in connection with execution of a client application (see Gerace: column 19, lines 10-58).

With regard to claim 34:

As per "the step of generating an activity log file which records user activities, the activity log file including a time field indicating when the activity log file was created, the user identification code or a similar unique identifier associated with the user, a user IP

field indicating the user's last internet connection address, and an activity field indicating a description for a particular user activity." (see Gerace: column 7, lines 4-15).

With regard to claim 35:

As per "the step of utilizing an external interface to interface with other systems and processes." (see Gerace: fig. 1).

With regard to claim 45:

As per "the steps of performing at least one data count based on the user's prior usage history, and weighting the at least one data count to adjust the relevance of the at least one data count to produce a running total score for at least one website viewed by the user." (see Gerace: column 15, lines 22-column 16, lines 23).

With regard to claim 46:

As per "the step of adjusting the running total score in accordance with an amount of time the user spent at least one website included in the count." (see Gerace: column 15, lines 22-column 16, lines 23).

### ***Allowable Subject Matter***

8. Claims 8, 11-12, 14, 21, 22, 24-27, 30-33, 47 and 48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With regard to claim 8:

While Goshen in view of Shelton describes customizing a browser appearance and functionality according to the site being viewed and according to user preference, but the cited art fails to customize information presented to a user in accordance with the country code field associated with the user.

With regard to claims 11 and 12:

While Goshen in view of Shelton discloses a time stamp to keep track of when each of the browser activities took place, but Goshen in view of Shelton fails to generate a user-specific statistics including user session duration and user session peak time of use, and average user session duration.

With regard to claim 14:

While Goshen in view of Shelton discloses that the WTS server 144 sends the information requested to the user (column 12, lines 60-65), and also including a session id (fig. 6), but Goshen in view of Shelton fails to include the session id further including "an application message interval field indicating a period of time between messages sent from a message queue to the application, a welcome wait interval which indicates an amount of time to wait before requesting a next display message from the message queue, and a query time interval which indicates a period of time between application queries for additional information."

With regard to claim 21:

While the cited art describes recording browser activity for later customization of the browser or the visual display, but the cited art fails to teach "the step of utilizing user



URL information records to generate user behavior statistics, including at least one of total and average number of times the user visited a particular URL, the total and average time the user spent at a particular URL, the peak time when the user visited a particular URL, and the types of pages viewed by the user.”

With regard to claim 22:

As mentioned above, while the cited art describes recording browser activity for later customization of the browser or the visual display, but the cited art fails to teach “the step of utilizing user URL information records to generate URL statistics, including at least one of total and average number of times that users visited a particular URL, the total and average time users spent at a particular URL, and the peak time when users visited a particular URL.”

With regard to claim 24 to 27:

While Goshen in view of Shelton discloses user profile records having plurality of fields including user id code, and a time stamp (date field) when the application is downloaded by the user, but an application version field identifying the current version of each particular application field is not shown. Goshen in view of Shelton also fails to disclose a last login field, and a last message identification field indicating the last message displayed to the user in connection with the particular application. Goshen in view of Shelton also fails to disclose the step of displaying a next message to the user in accordance with at least one of the last login field and the last message identification field.

With regard to claims 30 to 33:

Goshen in view of Gerace discloses a profile formed by recording computer activity and viewing habits of the end user. But, Goshen in view of Gerace fails to disclose the message queue record including, among other things, a behavior type field indicating a user behavior for which messages in the queue will be transmitted to the user, a message number field indicating a sequential number assigned to each message, and a messages field which indicates the list of messages to be transmitted to the user. Goshen in view of Gerace further fails to disclose requesting a message to be displayed to the user in accordance with a welcome wait interval which indicates an amount of time to wait before requesting a next display message from the message queue; and selecting a message to be displayed to the user in accordance with the identification of the user and the user's behavior type. The cited art further fails to disclose the step of transmitting the selected message to the user in accordance with an application message interval and displaying the selected message in accordance with the user's display, preferences.

With regard to claims 47 and 48:

Goshen in view of Gerace fails to disclose the step recited in claim 47, that is, "the step of determining the user's behavior by selecting the website with the highest running total score." Goshen in view of Gerace also fails to disclose the method of claim 48, that is, "the step of determining the user's behavior by selecting the website with the second highest running total score in the event that the user does not have a client application corresponding to the website with the highest running total score."

**Conclusion**

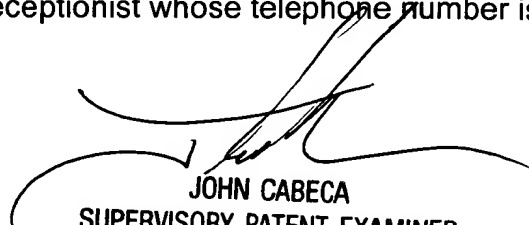
9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R § 1.111(c) to consider these reference fully when responding to this action. The present invention is directed to a method for dynamically providing information to a user. Likewise, the documents cited, Dedrick (5,717,923), discloses a method and system for dynamically customizing electronic information to individual end users. The system of Dedrick discloses a client system including a client interface 23, appraisal agent(s) 28, session manager 29, client activity monitor 24, content adapter 25, statistic compilation process 26, and personal profile database 27 (see column 4, lines 66-column 9, lines 24).

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 8:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Tadesse Hailu*

August 21, 2003

  
JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100